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RECEIVED

AUG 11 2011

ORDINANCE NO. 216  
(F & S Construction, Park Hampton, LLC & Robert Wood Properties)

AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTIES, LOCATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CITY OF STAR; ESTABLISHING THE ZONING CLASSIFICATIONS OF THE ANNEXED PROPERTIES AS: F&S CONSTRUCTION (PARCELS R3720003383, R3720003480, R3720003495) AS NEIGHBORHOOD BUSINESS DISTRICT (C-1); PARKHAMPTON, LLC (PARCEL S0416110100) AS MIXED USE (MU); AND ROBERT WOOD PROPERTIES (PARCELS S0416110207 & S0416120625) AS MIXED USE (MU); DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

TECHNICAL SUPPORT

071

WHEREAS, the City of Star, Ada & Canyon Counties, Idaho, is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex and to incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owners of the real properties situated in the unincorporated area of Ada County and particularly described in Section 2 of this Ordinance have requested, in writing, annexation of said real properties to the City of Star; and

WHEREAS, the Mayor and Council, pursuant to public hearings as required by law, held public hearings on December 2, 2008, which was continued to March 3, 2009, which was continued to June 2, 2009 which was continued to July 7, 2009 on the proposed annexation and zoning of the properties described in Section 2 below, as required by Section 67-6525, Idaho Code, and determined that the requested annexation should be granted and that the annexed properties should be zoned as follows: F&S Construction (Parcels R3720003383, R3720003480, R3720003495) as Neighborhood Business District (C-1); Parkhampton, LLC (Parcel S0416110100) as Mixed Use (MU); and Robert Wood Property (Parcels S0416110207 & S0416120625) as Mixed Use (MU) pursuant to the Zoning Ordinance of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STAR, IDAHO, as follows:

Section 1: The Mayor and Council of the City of Star, Idaho, hereby find and declare that the real properties described in Section 2 of this Ordinance are contiguous to the City, that said properties can be reasonably assumed to be used for orderly development of the City, that the owners of said properties have requested, in writing, annexation of said properties by the City, and that the requirements of Section 50-222, Idaho Code, for annexation of said properties, have been satisfied.

Section 2: The attached Exhibits "A" - F&S Construction Property; "B" - Parkhampton, LLC Property and "C" - Robert Wood Property describing the real property, all situated in Ada County, Idaho, is hereby annexed into the City of Star. From and after the

effective date of this Ordinance, the residents and other occupants and property owners within such area shall enjoy all the rights and responsibilities and shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Star as their fellow residents, occupants, and owners within the City of Star.

Section 3: The zoning land use classification of the land described in Section 2 above is hereby established as Neighborhood Business District(C-1) (Parcels R3720003383, R3720003480 and R3720003495) and MU Mixed Use (MU)(Parcels S0416110100, S0416110207 and S0416120625), as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above and reflect the established zoning.

Section 4: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

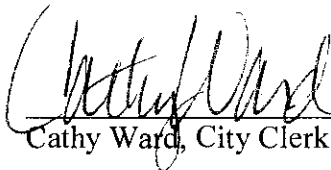
Section 5: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

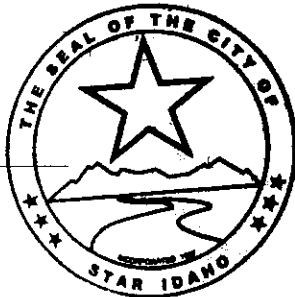
DATED this 17<sup>th</sup> day of May, 2011.

CITY OF STAR, IDAHO  
Ada & Canyon Counties

  
Nathan Mitchell, Mayor

ATTEST:

  
Cathy Ward, City Clerk



## EXHIBIT A ✓

A parcel of land situated in the Northeast quarter of Section 16, Township 4 North, Range 1 West, Boise-Meridian, Ada County, Idaho, being a portion of Lot 6 of the R.L. Hon Subdivision, as shown of record of survey filed as Instrument No. 9268784, more particularly described as follows:

Commencing at the Northeast corner of said Section 16;

Thence along the East line of said Lot 16, South 00 degrees 39'51" West 134.00 feet to a point on the South right of way line of State Highway 44 Project No. S-3748 (4), a point marked by a 5/8" iron pin;

Thence along said South right of way line North 88 degrees 52'00" West, formerly South 89 degrees 33'00" West 558.30 feet to the real point of beginning marked by a 5/8" iron pin, said point being on the lot line common to Lots 6 and 7 of said R.L. Hon Subdivision;

Thence continuing North 88 degrees 52'00" West, formerly South 89 degrees 33'00" West 403.32 feet to a point, marked by a 5/8" iron pin;

Thence leaving said South right of way line South 01 degrees 35'00" West formerly South 01 degrees 10'30" West 137.20 feet to a point marked by a 5/8" iron pin;

Thence South 88 degrees 52'00" East 2.81 feet to a point marked by 5/8" iron pin;

Thence South 00 degrees 24'30" West, formerly South 01 degrees 10'30" West 156.81 feet to a point marked by a 5/8" iron pin;

Thence South 88 degrees 52'00" East 401.88 feet to a point marked by a 5/8" iron pin, said point being on the lot line common to said Lots 6 and 7;

Thence along the lot common to said Lots 6 and 7 North 00 degrees 41'23" East 294.00 feet to the Point Of Beginning.

## EXHIBIT A

### PARCEL II:

A parcel of land situated in the Northeast quarter of Section 16, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho, being a portion of Lot 6 of the R.L. Hon Subdivision, filed in Book 4 of Plats at page 163, records of Ada County, Idaho, being Parcel II as shown on Record of Survey filed as Instrument No. 9268784, more particularly described as follows:

Commencing at the Northeast corner of said Section 16;  
Thence along the East line of said Section 16 South 0°39'51" West, 134.00 feet to a point on the South right of way line of State Highway 44 project No. S-3748 (4), a point marked by a 5/8" iron pin;  
Thence along said South right of way line North 88°52'00" West, formerly South 89°33'00" West, 558.30 feet to a point marked by a 5/8" iron pin, said point being on the lot line common to Lots 6 and 7 of said R.L. Hon Subdivision;  
Thence along the lot line common to Lots 6 and 7 South 0°41'23" West, 294.00 feet to the POINT OF BEGINNING, marked by a 5/8" iron pin;  
Thence leaving said lot line common to Lots 6 and 7 North 88°52'00" West, 401.88 feet to a point marked by a 5/8" iron pin;  
Thence South 0°24'30" West, formerly South 1°10'30" West, 247.37 feet to a point on the North right of way line of the Old Boise - Emmett Highway, now known as W. Moon Valley Road, marked by a 5/8" iron pin;  
Thence along the North right of way line of the Old Boise - Emmett Highway, now known as W. Moon Valley Road, South 74°40'34" East, 248.39 feet, formerly South 73°57'15" East, 250.87 feet, to a point, marked by a concrete right of way marker;  
Thence South 74°38'38" East, formerly South 76°02'02" East, 165.72 feet to a point on the lot line common to said Lots 6 and 7, marked by a 5/8" iron pin;  
Thence leaving the North right of way line of the Old Boise - Emmett Highway, now known as W. Moon Valley Road, and along the lot line common to said Lots 6 and 7 North 0°41'23" East, 348.97 feet to the POINT OF BEGINNING.

EXHIBIT "A"

A portion of Lot 6 of R. L. HON'S SUBDIVISION, according to the official plat thereof, filed in Book 4 of Plats at Page 163, records of Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap, the northeast corner of Section 16, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence South 1°10'30" East 134.00 feet to a point on the south boundary of State Highway No. 44; thence South 89°33'00" West 1158.74 feet along the south boundary of said Highway No. 44 to a point, the REAL POINT OF BEGINNING; thence continuing South 89°33'00" West, 140.00 feet along the south boundary of said Highway No. 44 to a point on the east boundary of the Old Boise Emmett Highway; thence southeasterly along the north boundary of the Old Boise Emmett Highway the following courses; South 1°10'30" East, 202.17 feet to a point, a concrete right of way monument; thence South 10°16'20" East 98.05 feet along the long chord of a curve to the left having a radius of 310.05 feet and a delta angle of 18°11'40" to a point; thence South 28°28'00" East, 98.05 feet along the long chord of a curve to the left having a radius of 310.05 feet and a delta angle of 18°11'40" to a point; thence South 46°39'40" North, 98.05 feet along the long chord of a curve to the left having a radius of 310.05 feet and a delta angle of 18°11'40" to a point; thence South 54°35'45" East, 11.96 feet along the long chord of a curve to the left having a radius of 310.05 feet and a delta angle of 2°12'40" to a point; thence North 1°10'30" West 460.22 feet to a point, the REAL POINT OF BEGINNING.

ADA COUNTY RECORDER  
J. DAVID NAVARRO  
BOISE, IDAHO

RECORDED - REL. LIST OF  
TITILE ONE  
FEE 6- DEF 102043810

2002 AP 15 PM 4:19

PARCEL

R372000 3383



Order No.: A027274 25/AG

WARRANTY DEED

FOR VALUE RECEIVED,

SHIRLEY A. FRANKEN, AN UNMARRIED WOMAN

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

F & S CONSTRUCTION, INC.

whose current address is 1173 RUSH RD., EAGLE, ID 83616

the Grantee(s), the following described premises, in ADA County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 04/09/02

*Shirley A. Franken*  
SHIRLEY A. FRANKEN

STATE OF ID

COUNTY OF ADA

EXHIBIT B

Commencing at the Section corner common to Sections 9, 10, 15 and 16, in Township 4 North, Range 1 West of the Boise Meridian, in Ada County, Idaho, running thence West 20 chains, more or less along the Section line between said Sections 9 and 16 to the 40 acre line; thence South along said 40 acre line 9.03 chains to the center of the Valley Road which is THE POINT OF BEGINNING; thence South 75°09' East a distance of 8.235 chains along the center of said Valley Road; thence South and parallel with the Section line between said Sections 15 and 16 a distance of 20 chains; thence East and at right angles to said Section line a distance of 4 chains; thence South and parallel with said Section line to the South line of Lot 1 of said Section 16; thence Westerly along the South line of said Lot 1 with all its meandering to the 40 acre line; thence North along said 40 acre line to THE PLACE OF BEGINNING in the center of the Valley Road, except Railroad rights of way.

EXCLUDING THE FOLLOWING PROPERTY:

Commencing at the Section corner common to Sections 9, 10, 15, 16, in Township 4 North, Range 1 West of the Boise Meridian, in Ada County, Idaho, running; thence West 20 chains more or less along the Section line between said Sections 9 and 16 to the 40 acre line; thence South along said 40 acre line 9.03 chains to the center of Valley Road which is THE POINT OF BEGINNING; thence South 75°09' East a distance of 8.235 chains along the center of said Valley Road; thence South and parallel with the Section line between said Sections 15 and 16, a distance of 250 feet; which is THE REAL POINT OF BEGINNING; thence South 1070 feet to an iron pin; thence East 264 feet to an iron pin; thence South and parallel with said section line to the South line of Lot 1 of said Section 16; thence Westerly along the South line of said Lot 1 with all its meandering to the 40 acre line; thence North along said 40 acre line to a steel pin, which is approximately 490 feet from THE PLACE OF BEGINNING; thence Northeast to a REAL POINT OF BEGINNING.

Exhibit "A"

Legal Description

Parcel # 50416 110100

EXHIBIT C

A parcel of land located in the Northwest quarter of the Northeast quarter and the Southwest quarter of the Northeast quarter of Section 16, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of said Section 16; thence  
North 00°04'41" West 1290.91 feet along the East section line to the Southeast corner of Government Lot 1 of said Section; thence along the South boundary of Government Lot 1;  
South 34°30' West 198.00 feet; thence  
South 65°00' West 963.60 feet; thence  
North 68°30' West 349.69 feet to a point on the "40 Acre Line" and common to the Southwest corner of said Government Lot 1; thence along the 40 acre line  
North 00°07'28" West 2829.97 feet to the REAL POINT OF BEGINNING; thence  
North 85°31'30" West 336.35 feet; thence  
North 00°07'28" West 1392.16 feet to a point on the South line of the State of Idaho Property; thence along said South line  
South 70°23'30" East 93.54 feet; thence  
South 19°48'30" East 262.02 feet; thence  
South 39°06'30" East 110.55 feet; thence  
South 73°28'30" East 41.09 feet to the Southeast corner of said State of Idaho Property; thence  
South 73°28'30" East 52.19 feet to a point on the 40 acre line; thence along the 40 acre line  
South 00°07'28" West 1028.31 feet to the REAL POINT OF BEGINNING.

EXCEPT that portion deeded to the State of Idaho on July 15, 1931 as Instrument No. 145459.

EXHIBIT C

PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

A parcel of land located in the Northeast quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 16, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of said Section 16; thence  
North 00°04'41" West 1290.91 feet along the East section line to the Southeast corner of Government Lot 1 of  
said section; thence along the South boundary of Government Lot 1;  
South 34°30' West 198.00 feet; thence  
South 65°00' West 963.60 feet; thence  
North 68°30' West 349.69 feet to a point on the 40 acre line and common to the Southwest corner of said  
Government Lot 1; thence along the 40 acre line;  
North 00°07'28" West 2829.97 feet to the REAL POINT OF BEGINNING; thence  
South 73°29'30" East 548.53 feet; thence  
North 00°04'41" West 767.73 feet; thence  
South 79°01'30" West 534.92 feet to a point on the 40 acre line; thence along the 40 acre line  
South 00°07'28" East 510.00 feet to the REAL POINT OF BEGINNING.



FILE COPY

EMMETT

STATE

R3720003483

R3720003480

R3720003495

S0416110100

S0416120625

S0416110207

MOON VALLEY

This Map and data displayed is a graphic representation derived from the Ada County Geographic Information System (GIS) data. It was designed and intended for staff use only. It is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Single Point Solutions, Inc. are not liable for errors or omissions resulting from the use of this product for any purpose.

**SPS**  
Single Point Solutions  
www.spsgh.com

**PTC**  
**Pioneer**  
**Co.**

Map of Ada County, Idaho, showing the location of the Pioneer Co. property.